

§112, second paragraph, as being indefinite. Claims 5, 7, 9 and 10 were “objected to” as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. The Abstract is also objected to because of certain informalities. The drawing were also objected to as failing to include a reference sign mentioned in the description.

As an overview to the present reply, Applicant has extensively revised the original claim language in the form of new Claims 12 - 22. New Claim 12 - 22 respectively reflect the original Claims 1 - 11. Each of these new claims has been expressed in a more proper U.S. format, including proper antecedent bases and proper structural interrelationships throughout. Any indefinite terminology found in the original claim language has been corrected herein.

Applicant respectfully disagrees with the Examiner’s rejection of the claim based upon the Unsinger patent. Fundamentally, the present invention and the Unsinger patent are not comparable devices. The Unsinger patent describes a tool that is used to enlarge tubes or openings. This is a tool that is usable in a mechanic’s workshop. In contrast, the present invention involves an extraction device that is used in dental medicine.

In the Unsinger patent, the tips (i.e. tapering metallic jaws 5 with the ends 6 bent at right angles) of the enlarging device are not in the form of clamps (or U-shaped extracting end pieces). The tips (i.e. the tapering metallic jaws 5) cannot, in any way, straddle the shaft of the prosthetic element so as to be extracted. They cannot be engaged, with any tolerable conditions, between the crest of the root of the tooth and the post of the prosthetic element. The tips (i.e. the tapering metallic jaws 5) of the Unsinger device are not affixed in a detachable manner to the ends of the arms (i.e. operating ends 4). The curved ends of the arms 4 of the Unsinger patent are not in the same orientation as the ends that are bent at right angles 4A’ and 4B’ of the present invention.

In contrast, the extracting tip of the present invention is in the form of a clamp (or a U-shaped extracting end piece). As a result, it is able to engage the shaft of the prosthetic element so as to allow the prosthetic element to be extracted. In particular, these extracting tips can be engaged between the crest of the root of the tooth and the root post. The extracting tips of the present invention can be affixed in a detachable manner to the ends of the extracting arms in the present invention. Additionally, since the extracting tips are “positionable detachably and rotationally” at the end of the extracting arm, the extraction tips of the present invention can be interchanged so as to accommodate various diameters of root posts. The Unsinger patent simply causes the pivotal pins 3 to allow rotation of the tips at the end of the tool.

In the present invention, the curve of the ends 4A' and 4B' of the extraction device are located in a plane perpendicular to the plane formed by the arms 3A and 3B. This orientation makes it possible to remove the arms of the extraction device relative to the prosthesis T to be pulled free. This gives the doctor good visibility during the extraction of the prosthesis. The arrangement of the active ends of the present invention allow less obstruction of the ends and lowered risks of injury to the patient. Fundamentally, if one attempted to use the device of the Unsinger patent for the extraction of a prosthesis, the dentist would, without a doubt, seriously injure the gums of the patient in every operation. The configuration of the tool described in the Unsinger patent noticeably increases the amplitude of the rotation of the tips (i.e. tapering metallic jaws 5) since there are no clamps (V-shaped extracting end pieces 5A and 5B) as in the present invention. This reduces the rigidity of the drive assembly and thus the tactile sensations to the practitioner. Since it is important for the dental practitioner to “feel” the process, such tactile sensations are very important during the extraction of the prosthesis.

The prior art Goedhart patent also fails to show the present invention, as now claimed. Fundamentally, the Goedhart patent and the present invention do not involve comparable devices. The Goedhart patent describes a tool for enlarging frames for eyeglasses. In contrast, the present invention involves prosthetic elements having a root post. In the Goedhart patent, the tips (i.e. lens expanding members 28 and 29) are not made in the form of clamps (or U-shaped extracting end pieces) as in the present invention. In fact, the expanding device used in the Goedhart patent could not, in any way, be used for the extraction of prosthetic elements since it is not possible to engage the lens expanding members 28 and 29 in the space between the root of the tooth and the post of the prosthetic element in view of the very large volume occupied by the two tips when they are in a position close together. The tips 10f and 11f of the expanding arms of the tool of the Goedhart patent include a bent part having a small dimension. However, the tips (i.e. lens expanding members 28 and 29) are not positioned in the extension of this small bent part but in the extension of the ends of the expanding arms 10 and 11. In addition, the curvature of the small bent parts of the ends 10f and 11f of the expansion arms are also located in the same plane as the arm 10d and 11d of the Goedhart patent. This creates the same disadvantages described hereinbefore in association with the Unsinger patent.


On this basis, Applicant respectfully contends that the structure, function and results achieved by the present invention are neither disclosed, nor suggested, by either of the prior art Unsinger or Goedhart patents. Neither of these prior art devices describe expanding devices that are related to the extraction of prosthetic elements having a root post. As such, they do not closely relate to the present invention. Applicant respectfully contends that the present claims, as defined herein, are patentably distinguishable from these prior art references.

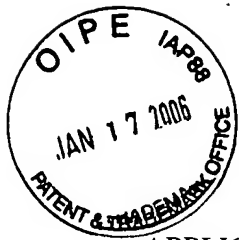
Applicant has revised the Abstract herein so as to correct for the original informalities. Additionally, Applicant has slightly revised the specification so as to reflect what is shown in the originally submitted drawings.

Based upon the foregoing analysis, Applicant contends that independent Claim 12 is now in proper condition for allowance. Additionally, those claims which are dependent upon Claim 12 should also be in condition for allowance. Reconsideration of the rejections and allowance of the claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required.

Respectfully submitted,

1-13-06  
Date

  
\_\_\_\_\_  
John S. Egbert  
Reg. No. 30,627  
Andrew W. Chu  
Reg. No. 46,625  
Attorney for Applicant  
Egbert Law Offices  
412 Main Street, 7th Floor  
Houston, Texas 77002  
(713)224-8080  
(713)223-4873 fax



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MULLER, Alexandre; MULLER, William

SERIAL NO.: 10/518,796

ART UNIT: 3732

FILED: July 11, 2005

EXAMINER: O'Connor, C. E.

TITLE: EQUIPMENT FOR EXTRACTING ROOT POST PROSTHETIC ELEMENTS OR IMPLANTS

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached correspondence comprising:

AMENDMENT "A"

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

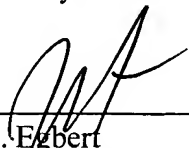
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

on 1-13-06

Respectfully submitted,

Date

1-13-06

  
\_\_\_\_\_  
John S. Egbert  
Reg. No. 30,627  
Attorney for Applicant  
Egbert Law Offices  
412 Main Street, 7th Floor  
Houston, Texas 77002  
(713)224-8080

\pns